

Exhibit D

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

TERRY GENE BOLLEA,
professionally known as HULK
HOGAN,

Plaintiff,

Case No.

12-012447-CI-011

vs.

GAWKER MEDIA, LLC, aka GAWKER
MEDIA, NICK DENTON; A.J.
DAULERIO,

Defendants.

_____ /

TRIAL PROCEEDINGS BEFORE
THE HONORABLE PAMELA A.M. CAMPBELL,
and a jury

DATE: March 18, 2016

TIME: 6:49 p.m. to 7:00 p.m.

PLACE: Pinellas County Courthouse
545 1st Avenue North
Courtroom A
St. Petersburg, Florida

REPORTED BY: Nathan F. Perkins, RDR
Aaron T. Perkins, RPR
Notaries Public, State of
Florida at Large

Volume 29
Pages 3828 to 3844

1 APPEARANCES:

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19 Attorneys for Plaintiff

20 APPEARANCES CONTINUED:
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1 APPEARANCES CONTINUED AS FOLLOWS:
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22 HEATHER L. DIETRICK, ESQUIRE
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Attorneys for Defendant Gawker Media, LLC,
et al.

1
2
3 ALSO PRESENT:

4 Terry Bollea
5 Nick Denton
6 A.J. Daulerio
7 John Dackson, media technician
8 Tim Piganelli, media technician
9 Michael Boucher
10 Seema Ghatnekar
11 Maureen Walsh
12 Michael Foley
13 Jeff Anderson
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(NONE ADMITTED/RECEIVED)

P R O C E E D I N G S

(Court called to order at 6:49 p.m.)

THE COURT: Thank you. You can all be seated.

Is there anything the Court needs to address prior to the jury coming in?

MR. TURKEL: Nothing from plaintiffs.

THE COURT: Mr. Sullivan?

MR. SULLIVAN: No, ma'am.

THE COURT: All right. Thank you. Let's go ahead and bring the jury in.

THE BAILIFF: Yes, Judge.

(The jury returned to the courtroom at 6:51 p.m.)

THE COURT: Thank you very much.

So, Ms. Adkins, are you the jury foreperson?

JUROR ADKINS: No.

THE COURT: Ms. Young?

JUROR YOUNG: Yes.

THE COURT: Has the jury reached a unanimous verdict?

JUROR YOUNG: We have.

THE COURT: Could you please give the verdict form to Deputy Hernandez?

(A document was handed to the judge.)

1 THE COURT: All right. Thank you.

2 The clerk will please publish the verdict.

3 THE CLERK: In the Circuit of the Sixth
4 Judicial Circuit, in and for Pinellas County,
5 Florida, Case No. 12-12447-CI, Terry Gene Bollea,
6 professionally known as Hulk Hogan, plaintiff, vs.
7 Gawker Media, LLC, a/k/a Gawker Media, Nick
8 Denton, A.J. Daulerio, defendants, verdict.

9 We the jury return the following verdict:

10 Did plaintiff prove that by posting the video
11 defendants publically disclosed private facts
12 about the plaintiff in a manner that reasonably --
13 that a reasonable person would find highly
14 offensive?

15 Yes.

16 Did plaintiff prove that the video was not a
17 matter of legitimate public concern?

18 Yes.

19 Did Nick Denton participate in posting of the
20 video on Gawker.com?

21 Yes.

22 Did plaintiff prove that defendants
23 wrongful -- wrongfully intruded into a place where
24 he had reasonable expectation of privacy?

25 Yes.

1 Did plaintiff prove that the video was posted
2 in such a manner as to outrage or cause mental
3 suffering, shame, or humiliation to a person with
4 ordinary sensibilities?

5 Yes.

6 Did the plaintiff prove that the defendants
7 used plaintiff's name or likeness for a commercial
8 or advertising purpose?

9 Yes.

10 Did the plaintiff prove that he did not
11 authorize use of his name or likeness?

12 Yes.

13 Did the plaintiff prove that posting the
14 video was extreme and outrageous to a person of
15 ordinary sensibilities?

16 Yes.

17 Did plaintiff prove that the defendants
18 intended to cause him severe emotional distress or
19 acted with reckless disregard of high probability
20 of causing him severe emotional distress?

21 Yes.

22 Did plaintiff prove that posting of the video
23 caused severe emotional distress?

24 Yes.

25 Did plaintiff prove that defendants

1 intentionally used or disclosed the video?

2 Yes.

3 Did plaintiff prove that he had a reasonable
4 expectation of privacy in the bedroom where the
5 video was recorded?

6 Yes.

7 Did plaintiff prove that the defendants knew
8 or had reason to know that he was recorded on the
9 video without his knowledge or consent?

10 Yes.

11 As to only plaintiff's claim for violation of
12 the Florida Security of Communications Act, did
13 the defendants prove that they acted in good faith
14 reliance on a good faith determination that their
15 conduct was lawful?

16 No.

17 What is the total amount of money that will
18 fairly and adequately compensate plaintiff for any
19 economic injuries, losses, or damage caused by the
20 defendants' misconduct?

21 \$55,000,000.

22 What is the total amount of money that will
23 fairly and adequately compensate Terry Bollea for
24 the emotional distress which resulted from the
25 defendants' posting of the video on the Internet?

1 \$60,000,000.

2 Total damages of plaintiff, \$115,000,000.

3 Under the circumstances of this case, state
4 whether you find by clear and convincing evidence
5 that punitive damages are awarded against Gawker
6 Media, LLC.

7 Yes.

8 Nick Denton?

9 Yes.

10 A.J. Daulerio?

11 Yes.

12 Did defendants have a specific intent to harm
13 plaintiff when they posted the video on the
14 Internet?

15 Gawker Media, LLC?

16 Yes.

17 Nick Denton?

18 Yes.

19 A.J. Daulerio?

20 Yes.

21 So say we all the 18th day of March 2016,
22 foreperson of the jury.

23 THE COURT: Thank you very much. Would any
24 of the jurors like the jury -- or would any of the
25 counsel like the jurors polled at this time?

1 MR. TURKEL: Not necessary for the plaintiff.

2 MR. SULLIVAN: No, Your Honor.

3 THE COURT: All right. Thank you very much.

4 Would counsel please approach?

5 (At the bench)

6 THE COURT: So let's discuss time frame,
7 then, for the punitive damages. How much time do
8 you anticipate for punitives?

9 MR. TURKEL: Half day.

10 MR. VOGT: Half day. And I've just talked to
11 our expert, because -- it's awkward to do before
12 anything happens. He can be here Monday
13 afternoon from New York. So we can probably begin
14 arguing Monday morning and call him Monday
15 afternoon.

16 THE COURT: So have them convene Monday at --
17 when should I bring them back? Monday at 10:00?

18 MR. TURKEL: We're trying to stipulate to the
19 financial stuff so that there is no argument over
20 net worth.

21 MR. BERRY: We won't be able to stipulate to
22 it.

23 MR. TURKEL: So why don't we do this. Why
24 don't we put a day aside for it.

25 THE COURT: Monday?

1 MR. TURKEL: Monday. Or if you want to give
2 one day off for us to do the lawyer stuff, do it
3 Tuesday, if that's okay with the Court.

4 THE COURT: Well -- so a half day. And where
5 all do you --

6 Well, based on Mr. Berry saying he doesn't
7 think there is going to be much stipulation --

8 MR. BERRY: I just need to confer with the
9 client.

10 THE COURT: Sure.

11 MR. TURKEL: Why don't we do this. I mean,
12 obviously --

13 Well, whatever it is, it's obviously a large
14 verdict, and it's going to affect things. But I
15 think at the end of the day, Judge, why don't we
16 just agree to be here Monday and let's call it at
17 9:30. We will deal with whatever we have to deal
18 with. And if -- I mean, I don't know what else to
19 do, but you can't leave the jury just hanging in
20 the air.

21 THE COURT: No, I need to tell them when to
22 come.

23 MR. TURKEL: So I think we just come back.
24 If you want to set it midmorning so we have some
25 time for lawyer stuff, do it at 10:00.

1 THE COURT: Have them come at 10:00 and have
2 you-all come an hour before?

3 MR. TURKEL: An hour, hour and a half.

4 MR. BERRY: There was still some issues with
5 the expert as far documents that need to be
6 produced and that these need to get sorted.

7 THE COURT: Of their expert?

8 MR. TURKEL: But that's what I'm saying. If
9 you bring them in midmorning, you don't leave them
10 floating in the wind, and we have an hour and a
11 half to deal with this stuff.

12 Does that make sense?

13 THE COURT: Have them come in then, you're
14 saying, at 10:30?

15 MR. TURKEL: 10:00 or 10:30. And then we
16 have some lawyer time if we have to deal with
17 whatever. I mean, we were trying to get to a
18 place where we didn't fight about net worth. And
19 I understand Mike's position.

20 So we may have to come in and do some lawyer
21 stuff before they convene for punitives. So I
22 just feel like we could do 11:00. You could do it
23 at 1:00 and tell them we have lawyer stuff in
24 morning, but then we'd need probably half of
25 Tuesday.

1 MR. SULLIVAN: Or else you'd have them
2 sitting around.

3 THE COURT: Right. Have them come at 1:00?

4 MR. TURKEL: That's fine.

5 THE COURT: One o'clock on Monday?

6 MR. TURKEL: That's fine.

7 THE COURT: Okay.

8 (In open court)

9 THE COURT: All right. So, ladies and
10 gentlemen of the jury, I was talking to the
11 attorneys about scheduling, because at this point
12 in time, as I instructed you in the first part of
13 the instructions, now there is a second phase for
14 the punitive damage aspect. So if you-all will
15 please return, then, Monday morning -- or Monday
16 at one o'clock, and then we'll be working in the
17 morning doing our working out the legal issues and
18 that aspect of it, so that we should be able to
19 present the case to you Monday at one o'clock.

20 All right. So with that, we're not going to
21 discharge you yet, as a jury, so you still have
22 all the same obligations that I have been telling
23 you all along. It's only the things that you hear
24 and see in this courtroom altogether.

25 So at this point in time, please remember the

1 rules. The deputies will be escorting you out to
2 your cars. So you are not to talk to anybody
3 about the people or parties involved in this case
4 over the weekend. You are not to do any of your
5 own research or homework on your own over the
6 weekend and -- or Monday morning.

7 And we'll just go from there. So please
8 remember those rules. Don't read any of the
9 media. Don't do your own homework. And then
10 we'll back on Monday and address the punitive
11 damages aspect.

12 So thank you-all so very much for all your
13 hanging in there with us all this time, so please
14 continue that, and we'll see you Monday, then, at
15 one o'clock. All right? Thank you-all very much.

16 So, Deputy Hernandez, if you will escort them
17 to their cars, please.

18 (The jury retired from the courtroom at
19 7:00 p.m.)

20 THE COURT: Anything else for this evening?

21 MR. TURKEL: No. We said Monday at 9:00?

22 THE COURT: So if the attorneys will be back
23 Monday at 9:00, and then that way we can do our
24 issues and plan to be with the jury, then, at
25 1:00. All right?

1 MR. TURKEL: Okay.

2 THE COURT: Thank you very much.

3 (Trial proceedings adjourned at 7:00 p.m.)

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REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Aaron T. Perkins, Registered Professional Reporter, certify that I was authorized to and did stenographically report the above proceedings and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 18th day of March, 2016.



Aaron T. Perkins, RPR